

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ELISEE EUGENE,

Plaintiff,

v.

Case No. 23-CV-487

JUDGE MICHELLE HAVAS,

Defendant.

ORDER

Plaintiff Elisee Eugene, who is incarcerated at the Milwaukee County Jail and representing himself, filed a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1.) He also filed a motion to proceed without prepayment of the filing fee. (ECF No. 3.)

On May 5, 2023, the Clerk of Court's Office sent Eugene a letter requesting that he provide a six-month certified prisoner trust account statement because the commissary receipts he did provide were insufficient and an initial partial filing fee could not be calculated from them. (ECF No. 6.) On May 26, 2023, Eugene sent a letter stating that he ordered his trust account statement. (ECF No. 10.)

To date, the court has not received the trust account statement. Without the trust account statement, the court cannot determine whether Eugene is eligible to proceed without prepayment of the filing fee. As such, the court will give Eugene one more chance to submit a certified copy of his trust account statement in accordance

with this order. If he fails to comply, the court will deny his motion to proceed without prepayment of the filing fee and dismiss his complaint for failure to follow the court's order unless he pays the full filing fee by the date set forth below.

IT IS THEREFORE ORDERED that, by the end of the day on **July 27, 2023**, Eugene must: (1) pay the full \$402 filing fee; *or* (2) provide the court with a certified copy of his trust account statement covering the six-month period preceding the filing of his complaint; *or* (3) explain to the court why he is unable to provide the requested information. If Eugene fails to comply with this order, the court will deny his motion to proceed without prepayment of the filing fee and dismiss his complaint.

Dated in Milwaukee, Wisconsin this 13th day of July, 2023.

BY THE COURT

A handwritten signature in black ink that reads "William E. Duffin". The signature is written in a cursive style and is positioned above a horizontal line.

WILLIAM E. DUFFIN
United States Magistrate Judge